



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,455	01/30/2002	Chun-Shan Wang	CHEN-0093 (108330.00092)	2233
7590 12/01/2003 Jackson Walker L.L.P. 2435 N. Central Expressway, Suite 600 Richardson, TX 75080			EXAMINER AYLWARD, DAVID E	
			ART UNIT 1712	PAPER NUMBER

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AS

Office Action Summary	Application No.	Applicant(s)	
	10/066,455	WANG ET AL.	
	Examiner	Art Unit	
	David E Aylward	1712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 26-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 7, 9, 11, 12, 15, 19 and 22 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5, 6, 8, 10, 13, 14, 16-18, 20, 21 and 23-35 is/are objected to.
- 8) ☒ Claim(s) 1-37 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Serial No. 10/066,455

-2-

Art Unit 1712

1. Applicant's election without traverse of Group I, claims 1-25 in Paper No. 5 is acknowledged.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

3. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, 7, 9, 11, 12, 15, 19 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 2000344788, JP '788.

5. The Abstract provided by Chemical Abstracts is used as a guide to the contents of this reference. Compounds of Formulas 2 and 3 on the second page of the Abstract are reacted with (cured) epoxy resin. These two compositions anticipate hardener G of claim 1.

6. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1, 4, 7, 9, 11, 12, 15, 19 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 08012692, JP '692.

8. The Abstract provided by Chemical Abstracts is used as a guide to the contents of this reference. From the Abstract it can be seen that compounds meeting the structure of (G) in claim 1 are known fire retardants for polymers. Since amides and amines are known to be hardeners for epoxy resins, it would have been obvious to one of ordinary skill who would be motivated to form a fire retardant epoxy resin composition to utilize these compounds as hardeners.

9. Claims 1, 4, 11 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito (4,086,206).

10. Saito teaches amines (Abstract column 1 lines 40-65) which are both fire retardant and meet Formula (C) of claim 1. Since amines are known hardeners for epoxy resins, it would have been obvious to one of ordinary skill desiring to form a fire retardant cured epoxy composition to utilize these compounds as

Serial No. 10/066,455

-4-

Art Unit 1712

hardeners because Saito teaches these amines function as fire retardants for synthetic resins.

11. Claims 2, 3, 5, 6, 8, 10, 13, 14, 16-18, 20, 21 and 23-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Aylward whose telephone number is (703) 308-2372. The examiner can normally be reached on Monday through Friday from 7:30 to 4:00.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Daylward

DAYlward:cdc
November 21, 2003

Robert A. Dawson

Robert Dawson
Supervisory Patent Examiner
Technology Center 1700